

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Mikich et al.	)	Group Art Unit: 3637
Serial No.	:	10/768,225	)	
Filed	:	January 30, 2004	)	I hereby certify that this correspondence
For	:	Suspended Storage Structure	)	is being deposited with the United States
Examiner	:	Chen, J.	)	Postal Service as first class mail in an
			)	envelope addressed to: Commissioner of
			)	Patents, P.O. Box 1450, Alexandria, VA
			)	22313-1450, on
			)	JUL 25 2005
			)	Date
			)	<i>Kellie Carr</i>
			)	Kellie D. Carr

DECLARATION OF MARK C. TOROSIAN UNDER 37 C.F.R. § 1.132

I, Mark C. Torosian, declare as follows:

1. I have personal knowledge of the facts stated herein. If called upon I would and could competently testify to those facts.
2. I am a co-inventor of the subject matter of the above-referenced patent application for a "Suspended Storage Structure."
3. Along with my co-inventors, I conceived the invention before July 2000.
4. Along with my co-inventors, I reduced the invention to practice before in or before July 2000.
5. I have reviewed the Wynne reference and have determined that Wynne describes the work of myself and my co-inventors.
6. Prior to meeting my co-inventors and me, Folding Guard Company, assignee of the Wynne reference, supplied fencing material and had not produced shelving.
7. In or about July 2000, my co-inventors and I contacted Dean Wynne, listed as inventor on the Wynne reference, at Folding Guard Company and disclosed the drawings and product specifications of the invention.

**Serial No.** 10/768,225  
**Filed** January 30, 2004

8. On July 25, 2000, Dean Wynne agreed, on behalf of Folding Guard Company, to manufacture "ceiling storage units" and acknowledged that HyLoft USA (a company owned by my co-inventors and me) owned "the HyLoft design."

9. Despite this agreement, Dean Wynne filed the Wynne reference which is based on and derived from the HyLoft Design.


10. Upon terminating its relationship with Folding Guard Company, Hyloft acquired the Wynne reference. This assignment was recorded at reel/frame number 014384/0447.

I declare that all statements made herein made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Under penalty of perjury, I declare that the foregoing is true and correct this 21th day of July, 2005 in Las Vegas, Nevada, US.

Respectfully submitted,

Dated: 07-21-05

  
Mark C. Torosian

G:\Hyloft\03-05 CIP roa torosian declaration2.wpd